

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

WENDY DEAN,

Plaintiff,

CASE NO: 3:05CV756B

vs.

AUBURN LODGING ASSOCIATES, LLC,

Defendant.

NOTICE CONCERNING SETTLEMENT CONFERENCE AND MEDIATION

Undersigned counsel for Plaintiff met with Bryce Metheny, one of the attorneys for Defendant, on July 17, 2006 in defense counsel's office to conduct a face-to-face settlement conference as required by this court's scheduling order. Prior to that meeting, said counsel met at the subject property with Defendant's representative to inspect it for ADA compliance with Plaintiff's expert -- after which Plaintiff forwarded her expert's report and a written settlement proposal. Subsequently, counsel for Plaintiff and Mac Greaves, lead counsel for Defendant, along with the Defendant's representative, had numerous telephone conferences in which the majority of the disputed issues were resolved. A few minor details must still be ironed out and the issue of attorney's fees and expenses resolved before the parties can announce the matter completely settled and finalize the settlement agreement. Currently, lead counsel for Defendant, Mac Greaves, is out of the office this week and undersigned counsel for Plaintiff will be on vacation out of state next week. However, the parties are confident that this matter will be fully resolved in August and do not believe mediation will be necessary.

Dated this 17th day of July, 2006.

Respectfully submitted,

s/ Edward I. Zwilling

Edward I. Zwilling, Esq.

Ala. Bar No. ASB-1564-L54E

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 17, 2006, I have electronically filed foregoing with the Clerk of Court using the CM/ECF electronic filing system which will provide electronic notification of such filing to: Mac B. Greaves, Esq., Burr & Forman, LLP, 420 North 20th Street, Suite 3100, Birmingham, Alabama 35203.

s/ Edward I. Zwillling
OF COUNSEL